

REGIONAL COUNCIL

AGENDA

	PAGE #	ACTIONS
1.0 <u>CALL TO ORDER & PLEDGE OF ALLEGIANCE</u>		Supervisor Jon Mikels, President
2.0 <u>PUBLIC COMMENT PERIOD</u> – Members of the public desiring to speak on items on the agenda or items not on the agenda, but within the purview of the Council, must fill out and present a speaker's card to the Exec. Assistant prior to speaking. Comments will limited be to three minutes. The President may limit the total time for all comments to twenty minutes.		
3.0 <u>CONSENT CALENDAR</u>		
3.1 <u>Approval Items</u>		
3.1.1 <u>Approval of April 4, 2002 Minutes Attachment</u>	01	
3.1.2 <u>Contracts Attachment</u>	15	
<u>New Contracts</u>		
• Adler Public Affairs	17	
• Pay for Performance Plan (TBD) (sent under separate cover)		
• Lockheed Martin Mission Systems	19	
<u>Subregional Consultant Contract</u>		
• The Elliott Consulting Group, Inc.	23	
3.2 <u>Receive & File</u>		
3.2.1 <u>SCAG Legislative Matrix 2001-2002 Session Attachment</u>	25	
3.2.2 <u>Contracts/Purchase Orders \$5,000 - \$25,000 (Info Only) Attachment</u>	32	
<u>Contracts</u>		
• Fennessy & Associates		
• Psomas & Associates		

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		PAGE #	ACTIONS
	<u>Receive & File – Cont'd</u>		
	<u>Purchase Orders</u>		
	<ul style="list-style-type: none">• Ametron Audio/Video Inc.• DRI-WEFA• Govplace• Yocum Business Furnishings		
	3.2.3 <u>Conflict of Interest Listing</u> (Info Only) Attachment	35	
4.0	<u>ACTION ITEMS</u>		
4.1	<u>Administration Committee Report</u>		Mayor Pro Tem Perry, Chair
4.1.1	<u>Draft Fiscal Year 2002-2003</u> <u>Budget Attachment</u>	37	
	Recommended Action: Approve		
4.2	<u>Transportation & Communications</u> <u>Committee (TCC) Report</u>		Councilmember Roberts, Chair
4.2.1	<u>Evaluate the Effect of the passage</u> <u>of Measure “W” in Orange</u> <u>County Attachment</u>	61	
	Recommended Action: Evaluate the Effect of the Passage of Measure “W” in Orange County.		

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	PAGE #	ACTIONS
<u>TCC Report – Cont’d</u>		
4.2.2 <u>AB 2333 (Nakano) SCAG’s RTP & Compliance with the Aviation Element Attachment</u>	65	
This bill authorizes the withholding of interregional capital improvement funds from any urbanized county within SCAG’s jurisdiction if the county does not comply with the aviation element of the RTP.		
Recommended Action: Seek amendments		
4.3 <u>Energy & Environment Committee (EEC) Report</u>		Councilmember Brown, Chair
4.3.1 <u>SB 1444 (Kuehl) Radiation Contamination Attachment</u>	72	
This bill would prohibit the selling or leasing of a site with residual radioactive contamination for subsequent land use.		
Recommended Action: Support		
• <u>SB 1623 (Romero) Radiation Safety Act of 2002 Attachment</u>	80	
SB 1623 would prohibit the disposal of radioactive waste at a hazardous waste disposal facility, but would allow the disposal of certain naturally occurring radioactive materials.		
Recommended Action: Support		

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PAGE # ACTIONS

EEC Report – Cont’d

- AB 2214 (Keeley) Low-Level
Radioactive Waste Disposal Facility
Attachment

98

This bill prohibits the proposed Ward Valley radioactive waste disposal site in San Bernardino from serving as the state’s facility and prohibits the state from accepting ownership to the site.

Recommended Action: Support

4.4 Communications Committee Report

**Councilmember
Proo, Chair**

5.0 INFORMATION ITEMS

5.1 Monthly Financial Report Attachment

**Bert Becker
Chief Financial
Officer**

128

The CFO provides a report which reflects Financial status and cash flow, General Fund Expenditure status and, on a quarterly basis a report on membership dues.

5.2 Update on Caltrans Audit

**Bert Becker
Chief Financial
Office**

5.3 Budget Funding Strategies Attachment

**Bert Becker
Chief Financial
Officer**



REGIONAL COUNCIL

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6.0 PRESIDENT'S REPORT

6.1 Report on Best Practices Oversight Committee

6.2 Appointments

7.0 EXECUTIVE DIRECTOR'S REPORT

8.0 COMMENT PERIOD

Any Regional Council member or staff desiring to comment on items not covered on the agenda may do so at this time. Comments should be limited to three minutes.

9.0 LEGAL COUNSEL REPORT

9.1 Closed Session

- Pursuant to Government Code Section §54956.9(a) City of Moreno Valley et.al. v. SCAG & HCD
- Pursuant to Government Code Section §54956.9(a) SCAG v. HCD & BT&H
- Pursuant to Government Code Section §54956.9(a) El Toro Reuse Planning Authority v. SCAG

10.0 ADJOURNMENT

The next meeting is scheduled for Thursday, June 6, 2002 at Universal Sheraton.

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS
Administration Committee Minutes
April 4, 2002

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE ADMINISTRATION COMMITTEE. AUDIO CASSETTE TAPES OF THE MEETING ARE AVAILABLE FOR LISTENING IN SCAG'S OFFICE.

The Administration Committee held its meeting at SCAG offices at 818 W. 7th St., 12th Floor, Los Angeles.

1.0 CALL TO ORDER

Mayor Pro Tem Bev Perry called the meeting to order at 9:10 a.m.

2.0 PUBLIC COMMENT PERIOD

No public comment.

3.0 CONSENT CALENDAR

The consent items were MOVED (Roberts), SECONDED (Bates) and UNANIMOUSLY APPROVED.

3.1 Approval Items

3.1.1 Minutes of the March 7, 2002 Meeting

3.1.2 Contracts & Purchase Orders

New Contracts

- LDA Consulting

Software License Renewal

- Thomas Brothers Maps

Contract Amendment

- DB Consulting

3.2 Receive & File

3.2.1 SCAG Legislative Matrix 2001-2002 Session

3.2.2 Contracts/Purchase Orders \$5,000 & \$25,000

- Adler Public Affairs
- Caliper Corporation
- Caliper Corporation
- Dell Marketing
- Hummingbird USA

3.2.3 Conflict of Interest Listing

3.3 Information Items

3.3.1 Water Policy Priorities for the Growth Visioning Subcommittee

3.3.2 California Geographic Info Council

3.3.3 Fee Service Work for MWD

4.0 ACTION ITEMS

4.1 Administration Committee Report

4.1.1 Request to co-host a conference on "Health Effects of Terrorist Uses of Weapons of Mass Destruction"

Robin Lowe of RCTC asked for a specific date for the conference and the reason for contributing \$5,000 to a group of physicians whose audience is physicians.

Supervisor Jon Mikels stated there is a special part of the program regarding transportation components which is extremely important for SCAG. The conference is to be held on Sunday, June 2, 2002, at UCLA Ackerman Hall from 9:00 a.m. to 5:00 p.m. An organizational meeting will be held on May 14, which Mark Pisano will attend.

Mayor Alexander asked what the linkage is with transportation.

Mark Pisano answered that although the organizing group is the Coalition for Physicians, the audience will be the community of Southern California. The information to be disseminated will include the possible effects on the transportation community. The issue of national security and safety, topic of our General Assembly, is also a federal priority and we are being requested by our federal funding agencies to develop a better understanding in programs surrounding this issue.

Supervisor Jon Mikels stated that once Yucca Mountain opens up and nuclear waste is transported through all counties, we need to be prepared for any possible threats and/or attacks. There will be transportation specialists in the discussion as well as physicians and it is very important to get the transportation component input into the process.

Mark Pisano stated that SCAG has been asked and will provide the speakers for the transportation session of the forum.

Mayor Pro-Tem Bates stated that at AMPO, there was a speaker who provided an interesting scenario on the impact of terrorism, what likely targets are, how to evaluate targets, how we should look at targets, what security we might be able to provide, all relating to transportation. It would be beneficial to have this person at the conference.

Councilmember Perry asked that the presentation given at the conference be presented to the Regional Council at the General Assembly.

The item was MOVED (Mikels), SECONDED (Bates), (1) ABSTAIN (Alexander) and APPROVED

4.1.2 The Government Business Education Technology (GBET) Expo for 2002 to be held on October 22-24, 2002

The item was MOVED (Brown), SECONDED (Bates) and APPROVED

4.1.3 General Fund Budget for FY 2003

Bert Becker, Chief Financial Officer presented this item.

Councilmember Perry stated that once we stop being a reimbursable only agency, then we could start to build up a reserve.

Councilmember Tyler asked if SCAG has any contingency built in to the legal fees for unknown law suits.

Bert Becker stated that the contingency is the \$1.6 million reserve. Our estimated legal fees for the year are approximately \$719,000 and we anticipate receiving \$320,000 in recovery.

Mayor Pro-Tem Bates asked if we were successful in getting the cities who are currently not members to participate, what would this mean in terms of dollars.

Bert Becker stated there are approximately 20 cities not participating at this time.

Councilmember Tyler asked if we currently have a written plan to eliminate the high risk designation.

Bert Becker answered that we are currently preparing a business plan and a financial plan that will cover this issue. Caltrans stated it will take 2-3 clean audits before they are willing to release us from a high-risk agency. This will take us approximately 18 months to 5 years to accomplish.

Councilmember Perry asked that the Audit Sub-Committee meet to discuss the proposed business and financial plan while it is in process to review it and provide input.

Councilmember Tyler concurred.

Mayor Pro Tem Bates stated we need a legislative action plan at the Federal level to get legislation introduced to change the reimbursement policy. Some of the categories can be changed administratively and do not require legislation and we should start work on these immediately.

The item was MOVED (Bernson), SECONDED (Bates) and APPROVED.

4.1.4 Co-sponsorship of Housing Forum with the Gas Company

The item was MOVED (Roberts), SECOND (Bates) and APPROVED.

4.1.5 Amend aviation grant request previously approved by the Regional Council

Rich Macias, Manager of Aviation and Environmental Planning presented this item.

Seda Yaghoubian, ETRPA, stated concerns with duplication of items #3, #5 and #6 duplicating SCAG's efforts that are already taking or will be taking place in the near future. It appears to be an attempt to override local authority over land use issues. Carefully study the role and purpose of the SCRAA and not include them in the application.

Peggy Duce, CEO of SCRAA stated they have been partnering with SCAG and not duplicating services. SCAG has developed the RTP and the Aviation Element that is the concept on how the region is going to approach aviation traffic within the next two decades. SCRAA is developing the blueprint to make the concept happen. They have a five-member board that is made up of four county supervisors and a representative from the City of Los Angeles and three working committees that require a local elected official from every county participate.

In response to a budget question, Peggy Duce stated that they began with a budget of \$750,000 carryover. When the work plan was approved they also approved a budget to fund the work plan for \$3.2 million. The DOT has committed to match the funds by 50%.

Councilmember Perry raised concern that there are no City Council members, except for the City of Los Angeles on the SCRAA board.

To clarify some concerns, Rich Macias stated that we are not in a position to give money to the SCRAA, this is simply a grant request and the ultimate funding decision will be with the FAA. We are only requesting that this become a line item in the current SCAG request that the FAA is currently processing. SCAG staff is comfortable with the dialogue the two agencies will have in our own planning efforts and consultation with FAA.

Councilmember Dixon raised concern that this organization should not be involved with this and he believes it is not good for the region.

Mayor Pro Tem Garcia raised concern with representation and the establishment, during the planning phase, of an implementation group that we have not all agreed to.

Supervisor Mikels stated that the sole purpose of the SCRAA is to implement the plan of this organization and that it is not a role for SCAG.

Councilmember Perry stated concern with no city representation on the Joint Powers and that there needs to be a broader discussion about aviation and how it all fits together.

Councilmember Bernson MOVED a substitute motion to approve this item contingent upon approval of an agreement of composition of the board of SCRAA that meets the consensus of the Regional Council SECONDED (Alexander) and APPROVED (9-4).

5.0 INFORMATION ITEMS

5.1 Monthly Financial Report
Not reported on.

5.2 Update on Caltrans Audit
Not reported on.

5.3 Budget Funding Strategy
Not reported on.

5.4 Presentation by Civic Resource Group Website Consultant
Not reported on.

6.0 COMMENT PERIOD

No comments presented.

7.0 ADJOURNMENT

Chair Perry adjourned the meeting at 10:30 a.m.

Bert Becker, Chief Financial Officer
Staff to the Administration Committee

Committee Members Present:

Mayor William Alexander	City of Rancho Cucamonga
Mayor Pro Tem Ron Bates	City of Los Alamitos
Councilmember Hal Bernson	City of Los Angeles
Councilmember Art Brown	City of Buena Park
Councilmember Richard Dixon	City of Lake Forest
Mayor Pro Tem Lee Ann Garcia	City of Grand Terrace
Mayor Dee Hardison	City of Torrance
Mayor Ron Loveridge	City of Riverside
Supervisor Jon Mikels	County of San Bernardino
Councilmember Bev Perry	City of Brea
Councilmember Bea Proo	City of Pico Rivera
Mayor Ron Roberts	City of Temecula
Councilmember Sidney Tyler	City of Pasadena

Committee Members Absent:

Councilmember Lawrence Kirkley	City of Inglewood
Supervisor Judy Mikels	County of Ventura
Councilmember Toni Young	Port of Hueneme

Staff Present:

Bert Becker	Chief Financial Officer
Helene Smookler	Legal Counsel
Ralph Levy	Manager, Budget & Grants
Rich Macias	Manager of Aviation & Environmental Plng.

Others Present:

Seda Yaghoubian	ETRPA
Catherine McMillan	CVAG
Jeff Lustgarten	Cerrell Associates
Ty Schuiling	SANBAG
Alan Bowser	SCAG
Phyllis Winger	City of Los Angeles
Jeff Davis	Caltrans
Ed Jones	SCAG Liaison
Zahi Faranesh	SCAG
Sandra Balmir	FTA/FHWA
Joe Vizcarra	CHP
Al Perdon	APA
Mary Amos	Congressional 37 th District

REPORT

DATE: April 15, 2002

TO: Administration Committee
Regional Council

FROM: Sam Mehta, Contracts Manager (213) 236-1813
Email: mehta@scag.ca.gov

SUBJECT: Contracts and Purchase Orders Between \$5,000 - \$25,000

RECOMMENDED ACTION: Information Only

SUMMARY:

The following contracts were executed between \$5,000 and \$25,000

- Fennessy Associates \$ 5,000
‘Tranplan’ software support
Funding source: FHWA
- Psomas & Associates \$ 24,500
IGR Interactive project review systems
Funding source: FTA

The Executive Director executed the following Purchase Orders between \$5,000 and \$25,000

- Ametron Audio/Video Inc. \$ 7,500
Upgrade audio/video systems in conference Rooms
Funding source: Indirect Overhead
- DRI-WEFA \$ 6,900
Data acquisition
Funding source: FHWA
- Govplace \$ 11,591
Upgrade production server
Funding source: Indirect Overhead
- Yocum Business Furnishings \$ 6,831
Purchase file Cabinets
Funding Source: Indirect Overhead



REPORT

BACKGROUND:

Pursuant to the recommendations from the Best Practices Contracts Committee and KMPG, the Regional Council approved the execution by the Executive Director, Purchase Orders between \$5,000 and \$25,000 and the listing of all such contracts and purchase orders on the agenda as information only.



REPORT

PCDOC#68428



**SOUTHERN CALIFORNIA
ASSOCIATION of GOVERNMENTS**

REPORT

DATE: May 2, 2002

TO: Transportation and Communications Committee
Regional Council

FROM: Jim Gosnell, Director, Planning and Policy; 213-236-1889;
gosnell@scag.ca.gov

RE: Evaluate the Effect of the Passing of Measure “W” in Orange County

EXECUTIVE DIRECTOR’S APPROVAL:

RECOMMENDED ACTION:

Evaluate the Effect of the Passing of Measure “W” in Orange County.

BACKGROUND:

On March 5, 2002, Orange County voters approved Measure W, titled “The Orange County Central Park and Nature Preserve Initiative,” by a margin of 58 to 42 percent. Measure W precludes the use of El Toro as a commercial service airport by repealing the full text of the Orange County/El Toro Economic Stimulus Initiative (Measure A), adopted by Orange County voters on November 8, 1994. The recently approved Measure W, in contrast:

amends the Orange County General Plan to authorize the closed Marine Corps Air Station El Toro ("El Toro") to be used for non-aviation uses, including a multi-purpose central park, open space, nature preserve, universities and schools, cultural facilities, and other interim and long-term uses described herein.

At the March 7th Transportation and Communications Committee (TCC) meeting, Mayor Richard Dixon, City of Lake Forest, requested that SCAG consider changing the 2001 Regional Transportation Plan to account for the passage of Measure W. TCC then directed staff to present implications of removing El Toro from the RTP.

On April 16, 2002, the Orange County Board of Supervisors voted to support the City of Irvine’s Plan to develop most of the closed El Toro Marine base into parkland.



STEPS REQUIRED TO REMOVE EL TORO FROM THE 2001 RTP:

General Process:

If the Regional Council decides to consider removing the proposed El Toro airport from the RTP, then the complete amendment process would be expected to take at least three months, depending, in part, on the length of the public comment period. The process would include a public notice, a public hearing, at least a 30-day public comment period (although staff recommends a 45-day period), an AB 1246 consultation process (which entails meeting with all of the county commissions, IVAG, and Caltrans), an environmental review, an environmental justice analysis, and a transportation conformity certification process.

Environmental Review:

State regulations require the decision-making body to consider the potential programmatic-level environmental effects of amending the RTP. The 2001 RTP Program Environmental Impact Report (EIR) analyzed a wide range of alternatives and evaluated the potential programmatic environmental impacts with and without El Toro airport. This analysis revealed that without El Toro airport the total regional million annual passengers (MAP) in 2025 would be expected to decrease by approximately 19 MAP. This reduction in air travel would be expected to cause approximately 10,000 fewer jobs in the region in 2025—which constitutes a loss of approximately 0.1% total regional forecasted jobs. Also, this reduction in air travel would be expected to reduce the total regional vehicle miles traveled and, thus, potentially benefit regional air quality by decreasing the air quality impact of the RTP on the region as a whole.

Given the range of alternatives analyzed in the 2001 RTP EIR, SCAG would not be required to adopt a subsequent or supplemental EIR. Removing El Toro from the RTP would not cause any “new significant environmental effects” and/or “substantial increase in the severity of the previously identified significant effects” (§15162 of the state CEQA guidelines). Thus, SCAG would need to prepare an *addendum* to the EIR (§15164 of CEQA guidelines) to describe the minor changes to the certified 2001 RTP EIR. The addendum would be approximately 20 pages long and would provide substantial evidence explaining why a subsequent or supplemental EIR was not needed. Although CEQA does not require public review for an addendum, staff recommends making all materials related to the amendment, including the addendum, available for public review. Also, before the Regional Council could amend the RTP, it must make a finding that the addendum is consistent with the 2001 RTP EIR. In total, the preparation of the addendum would take approximately one month from the time that a decision was made to amend the RTP.

Environmental Justice Analysis:

Amendment to the RTP would require a re-evaluation of environmental justice. Noise data, as well as other aspects of the environmental justice analysis, would need to be recalculated without El Toro. This recalculation would take approximately three weeks to complete.

Transportation Conformity Certification Process:

Federal and state regulations require that SCAG, the designated Metropolitan Planning Organization (MPO) of the region, must undertake a transportation conformity process prior to approval and conformity finding of the RTP Amendment. This process would include interagency consultation with federal agencies, preparation and release of the draft document for at least a 30-day public review and comment period, a public hearing, a final draft, RC action, and submission to federal agencies for certification. It is expected that it would take approximately two months to reach the point of RC action and at least two additional months to acquire federal certification. Thus, in total, conformity analysis, consultation, and certification would be expected to take three to four months.

Timeline:

The conformity process would be expected to be the most time consuming requirement, and all of the other requirements (general amendment process, environmental review, and environmental justice analysis) would be expected to be carried out concurrently with the conformity process. For example, the amendment process and the conformity process both require at least a 30-day public comment period that could be provided during the same time period. Although we have not yet discussed any potential amendment with any federal agencies, the entire process required to remove El Toro airport from the RTP would be expected to take approximately three to four months—starting with the preparation of a draft amendment and finishing when transportation conformity certification is complete. The majority of the work performed by SCAG staff, however, would be completed during the first two months of the process, which, as stated above, would be needed to reach the point of RC action.

FISCAL IMPACT:

SCAG staff is not currently budgeted to remove El Toro from the RTP, and the estimated fiscal impact would be approximately \$80,000. If the Regional Council wants to consider an amendment to the 2001 RTP, then the majority of the work would be expected to be performed during this fiscal year, and the following work elements have sufficient budgets to perform this work: Environmental Justice (#02-009) and 2001 RTP EIR (#02-0012).



REPORT

DATE: May 2, 2002

TO: Members of the Transportation and Communications Committee (TCC)
Members of the Regional Council

FROM: Michael P. Murphy, Lead Government Affairs Officer
Phone (213) 236-1820; E-mail: murphy@scag.ca.gov

SUBJECT: State Legislation: AB 2333 (Nakano)

EXECUTIVE DIRECTOR'S APPROVAL

RECOMMENDED ACTION:

Seek Amendments

SUMMARY:

On February 21, 2002, Assembly Member George Nakano (D-Torrance) introduced AB 2333. The bill, as originally introduced, authorized the withholding of interregional capital improvement funds from any urbanized county within SCAG's jurisdiction if the county did not comply with the aviation element of SCAG's Regional Transportation Plan (RTP). On April 16, 2002, Mr. Nakano substantially amended AB 2333 to remove the punitive portions of the bill. The newly amended bill language seeks to create incentives for airports located within the SCAG region to conform their master plans and airport layout plans to SCAG's Regional Transportation Plan.

BACKGROUND:

AB 2333, which applies only to Los Angeles, Orange, Riverside, and San Bernardino Counties, pertains to the aviation element of SCAG's Regional Transportation Plan (RTP).

As amended on April 16, 2002, AB 2333 states that the aviation element of the Regional Transportation Plan "...shall assure a fair-share distribution of both the burdens and benefits of commercial aviation among the four urbanized SCAG Counties of Los Angeles, Orange, San Bernardino, and Riverside." In determining a fair share distribution, SCAG shall include an assessment of future passenger and cargo demand likely to be generated by and reasonably attributable to each county. The bill also provides SCAG must adhere to principles of environmental justice in the development of the aviation element.

The bill directs that the California Department of Transportation (Caltrans) in allocating funds identified in paragraph (1) of subdivision (a) of Section 164 of the California Streets and Highways Code (the 25 percent for interregional improvements), give preference to those projects which facilitate airport development and access in the four SCAG counties where airport planning is consistent with and timely progress is being made toward implementation of the Regional Transportation Plan. There is no requirement that any airport have a master plan or airport layout plan consistent with the Regional Transportation Plan. However, eligible interregional improvement projects that facilitate airport development and access in the four SCAG counties where there is a finding of consistency shall be granted a "preference" by Caltrans.

AB 2333 further requires that the Southern California Regional Airport Authority (SCRAA) annually review the master plans and airport layout plans of each commercial airport or proposed airport for consistency with the SCAG Regional Transportation Plan.

Based upon discussions at the April Transportation and Communication Committee, SCAG staff has continued a dialogue with Assembly Member Nakano and his staff regarding specific elements of AB 2333, as amended. As of the preparation of this report on April 19, 2002, the following issues have been raised by SCAG staff to Mr. Nakano's staff, though no commitment has been made by the Assembly Member's office on whether or how these issues will be addressed. However, Mr. Nakano continues to be open to continuing the discussion on the following issues:

1. What constitutes "fair share distribution?" Is "fair share distribution" a direct correlation of the forecast passengers and cargo attributable to each county or is it some other calculations which may involve tolerance ranges?
2. SCAG is unable to "assure" a "fair share distribution." Language stating that SCAG shall consider certain factors in developing a "fair share distribution" would be more appropriate.
3. The revised language of the bill appears to imply that Caltrans will need to have some mechanism in place to determine individual airport consistency with the SCAG Regional Transportation Plan. What is that mechanism and is it duplicative of work performed by another agency?
4. Is the Southern California Regional Airport Authority (SCRAA) the appropriate agency to determine consistency with SCAG's Regional Transportation Plan? If any agency is to determine consistency with the RTP, isn't this a role most appropriate for SCAG?
5. What if an airport goes over the forecast projections in the Regional Transportation Plan? Is the forecast number an absolute or should tolerance ranges be established?
6. The environmental justice language should be limited as being construed to conform to the provisions of applicable federal law as is presently done by SCAG during RTP development.
7. There continues to be concern that preferences given to implement the aviation component of the Regional Transportation Plan may harm other projects implementing other portions of the RTP.

As a former member of the Regional Council, one of Mr. Nakano's stated goals in authoring AB 2333 is to create mechanisms that facilitate the implementation of SCAG's Regional Transportation Plan. Assembly Member Nakano also supports the decentralized aviation plan outlined in the 2001 adopted RTP. Since AB 2333 is still in its house of origin and Mr. Nakano has indicated a strong desire to work with SCAG in addressing concerns about the bill, staff recommends a "Seek Amendments" position.

BILL STATUS:

As of this writing of this report on April 19, 2002, AB 2333 has been assigned to the Committee on Transportation and is scheduled for hearing on April 22, 2002.

FISCAL IMPACT:

All work related to adopting the recommended staff action is contained within the adopted FY 01/02 budget and adopted 2002 SCAG Legislative Program and does not require the allocation of any additional financial resources.

ATTACHMENT:

AB 2333 (Nakano)

REPORT

DATE: May 2, 2002

TO: The Regional Council

FROM: Charlotte Eckelbecker, Government Affairs Analyst
Phone (213) 236-1811 e-mail: eckelbec@scag.ca.gov

SUBJECT: **SB 1444 (Kuehl) - Radiation Contamination**
SB 1623 (Romero) - Radiation Safety Act of 2002
AB 2214 (Keeley) - Low Level Radioactive Waste Disposal Facility

EXECUTIVE DIRECTOR'S APPROVAL

RECOMMENDED ACTION: The Energy and Environment Committee recommends support positions on SB 1444 (Kuehl), SB 1623 (Romero) and AB 2214 (Keeley).

BACKGROUND:

SB 1444 (Kuehl) - Radiation Contamination

Senate Bill 1444, authored by Senator Sheila Kuehl (D-Santa Monica), and amended April 9, 2002, prohibits the selling, transferring or leasing of a site or a structure with residual radioactive contamination for any subsequent land use until the contamination has been removed. The bill also requires a thorough and rigorous monitoring of the site and structures to assure any residual contamination is identified. If the Department of Health Services allows any residual radioactivity to remain on the site, the owner of the site must include a perpetual deed restriction on the property. The original version of the bill formerly contained language prohibiting a city or county from planning, zoning or approving any residential use or any use involving the operation of a school or child care facility at any site where a partial or full nuclear meltdown has occurred. Though this language was removed, the general concepts of the bill remain the same.

SB 1623 (Romero) - Radiation Safety Act of 2002

Senate Bill 1623 authored by Senator Gloria Romero (D-Los Angeles), as amended April 15, enacts the Radiation Safety Act of 2002 and requires any license issued by the Department of Toxic Substances pursuant to the Radiation Control Law also comply with this act. The bill would prohibit the disposal of radioactive waste at a hazardous waste disposal facility. It would also authorize the Department of Toxic Substances to adopt regulations and permit conditions relating to safety, monitoring procedures and limitations on maximum concentrations for the disposal of technologically enhanced naturally occurring radioactive materials, TENORM waste. The bill as amended makes technical changes to the original legislation and the concepts of the bill remain the same.

AB 2214 (Keeley) - Low Level Radioactive Waste Disposal Facility

Assembly Bill 2214 introduced by Assemblyman Keeley (D-Boulder Creek) would prohibit the Department of Health Services from issuing a license for the disposal of low-level radioactive waste, or renewing a license unless the department determines that design and operation of the facility meets specified requirements. The bill also requires that any low-level radioactive waste disposal facilities,

constructed in the state, meet specified requirements regarding management of that waste. The bill also prohibits the proposed Ward Valley radioactive waste disposal site in San Bernardino County from serving as the state's facility for the purposes of the Southwestern Low-Level Radioactive Waste Disposal Compact and prohibits the state from accepting ownership or other property rights to the site of that facility. (Please see attached documents for background information)

BILL STATUS:

SB 1444 (Kuehl) as amended was passed in the Senate Committee for Local Government by a vote of 4 to 2. The bill has been re-referred to the Senate Environmental Quality Committee and is scheduled for a hearing on April 22.

SB 1623 (Romero) was amended by the author on April 15, 2002 and re-referred to the Senate Environmental Quality Committee and is scheduled for hearing on April 22.

AB 2214 (Keeley) passed the Assembly Environment Safety and Toxic Materials Committee by a vote of 6 to 3 on April 9. The bill was referred to the Assembly Appropriations Committee, where a hearing is scheduled for April 24.

FISCAL IMPACT:

All work related to adopting the recommended staff action is contained within the adopted FY 01/02 budget and adopted 2002 SCAG Legislative Program and does not require the allocation of any additional financial resources.

ATTACHMENTS:

SB 1444, SB 1623, AB 2214, GAO Report

:docs TRG # 68524



MEMO

DATE: May 2, 2002
TO: Administration Committee and Regional Council
FROM: Bert Becker, Chief Financial Officer
(213) 236-1960, becker@scag.ca.gov
RE: Monthly Financial Report

Information Only

Summary: Summary of Budget Expenditure/Financial Status through the end of March 2002

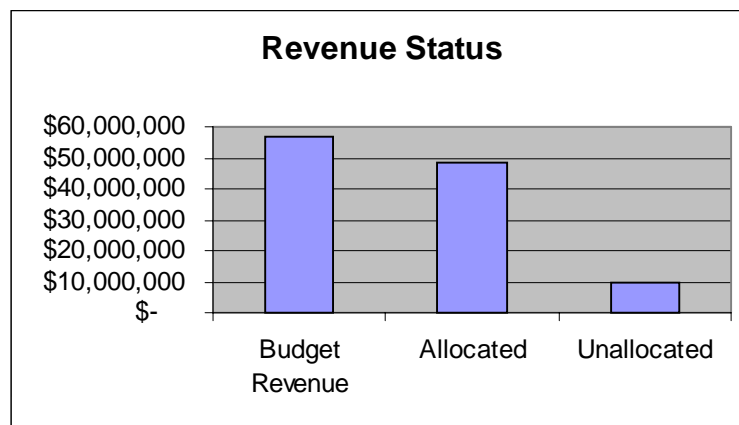
Background:

This report is divided into two parts: Part I – Revenue, Expenditures and Commitments; and Part II - Cash Flow.

Part I – Revenues and Expenditures

The revenue portion of this report is based on the original revenue estimates at July 1, 2001.

A. Revenue (Monthly Revenue Development Report Table I)



B. Expenditures

Thus far, \$23,189,570 or 40% of the total budget of \$56,761,084 has been expended. Using the anticipated revenue of \$48,534,084 as a base, approximately 47% has been expended. Subregional and consultant expenditures will accelerate in the fourth quarter reflecting the anticipated increased pace of contract commitments and activity in the later part of the fiscal year.

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The line item breakdown of expenditures is as follows:

	Budget	Expenditures (YTD)	Unexpended Balance
SCAG Operations	\$22,539,193	\$16,566,472	\$5,972,721
SCAG Consultants	\$22,862,469	\$4,535,036	\$18,327,433
Subregions	\$11,359,422	\$2,088,062	\$9,277,360
Total	\$56,761,084	\$23,189,570	\$33,577,514

SCAG Operations:

In the first nine months of the Fiscal Year, 73% of the SCAG Operations budget was expended. Based on the amount of expenditures through nine months, the fact that the in-kind match has not yet been reported in the cost figures and in light of the estimated SCAG Operations costs through June 30, 2002, the SCAG Operations Budget was increased in Amendment #4 approved by the Regional Council in March.

SCAG Consultants:

The consultant expenditures for the Fiscal Year 2001-2002 are following the annual cycle of starting slow and accelerating toward the end of the Fiscal Year.

Subregions:

The low amount of subregional expenditures continues to reflect the fact that the primary subregional work products for the Fiscal Year 2001-2002 i.e., Growth Visioning, Jobs/Housing Transportation and Livable Communities required considerable time in scope definition and clarification. However, there was a significant increase in subregional expenditures in the last month. Through February, only \$836,466 of subregional expenditures were reported. The amount has increased to over \$2 million by the end of March. The subregional expenditure will accelerate through the remainder of the fiscal year.

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In terms of the six Budget categories, the expenditures are as follows:

	Budget	Expenditures (YTD)	Unexpended Balance
Category A: Required Transportation Planning & Other Mandated Activities	\$6,835,310	\$3,802,806	\$3,032,504
Category B: Data Management & Evaluation Efforts	\$11,370,035	\$6,537,796	\$4,832,239
Category C: Products to Implement the Regional Transportation Plan	\$27,409,929	\$7,702,267	\$19,707,662
Category D: New Issues & Initiatives	\$3,081,750	\$70,931	\$3,010,819
Category E: Other Programs	\$6,964,060	\$4,335,713	\$2,628,347
Category G: General Fund	\$1,100,000	\$740,057	\$359,943
Total	\$56,761,084	\$23,189,570	\$33,577,514

The largest portion of SCAG staff work falls within categories A and B. The rate of expenditures in these categories will be consistent throughout the year. Part C is composed mostly of consultant and subregional work. The rate of expenditures in Part C will increase sharply in the fourth quarter reflecting the impact of contracts awarded in the first, second and third quarters. Part D includes funding that is will not be received. Category D was deleted from the Budget as part of the March 7 Budget Amendment #4. Categories E and G are being expended at rates commensurate with the anticipated progress through this point of the year.

Contractual Commitments

SCAG has contractually committed about 16% of the total SCAG contract budget and about 21% of the subregional budget.

	Budget	Expended and Commitments	Uncommitted Balance
SCAG Consultants	\$22,862,469	\$3,767,648	\$19,094,821
Subregions	\$11,329,422	\$2,345,884	\$8,983,538
Total	\$34,191,891	\$6,113,532	\$28,078,359

The prior reports on contract commitments included amount for Requests for Proposals as well as executed contracts. Starting with this report, we are including only the dollar amount for executed contracts.

Part II – Cash Flow

The attached Table II graphically presents the results of SCAG's actual cash receipts and disbursements for the nine months ended March 31, 2002. Table III presents the monthly unrestricted cash balances available to support day to day cash operations. These graphs present historical information from FY99, FY00, and FY01 to measure and compare against SCAG FY02 operations.

In the period, SCAG received cash of \$45.2 million and disbursed \$47.0 million. This is a reduction in unrestricted cash of \$1.8 million since the beginning of FY02. This compares to \$23.9 million in cash receipts and \$24.1 million of cash disbursements in FY01. The unrestricted cash balance is about \$300,000 at March 31, 2002. Additional information about cash receipts and disbursements follows in this report.

The line of credit (LOC) through United California Bank was initiated in March 2001 and was extended to June 30, 2002. The borrowing cap was raised to \$3.5 million from \$2.5 million for FY 02. The advances are secured by an assignment of all monies due, or to be due, from Caltrans. Advances must be in minimum amounts of \$350,000. The interest rate is a favorable tax-exempt qualified small issue rate of 5.0692%.

Cash Receipts (Table II):

In the nine-month period, we received cash of \$45.2 million compared to \$23.9 million in FY01. This is a year to year increase of \$21.3 million. About \$17.9 million, or 84% of the increase, is due to cash advances received under SCAG's LOC of \$16.8 million, and \$1.1 million of restricted cash transferred and disbursed to other project sponsors.

During the nine month period, SCAG received the annual TDA planning funds of \$1.0 million, and collected almost all of the \$1.1 million of SCAG's FY 02 membership dues. This is available cash, which diminishes as it is used during the year. The TDA resources are reduced because they are used as match against our federal grants. Membership Dues cash resources are reduced because they are used to pay for General Fund expenditures.

As the end of the fiscal year approaches, these resources have been reduced as a source of working capital. In the second half of the year, this reduction in cash resources puts more pressure on managing our limited amount of working capital.

Cash Disbursements (Table II):

In the nine-month period, cash disbursements totaled \$47.0 million compared to \$24.1 million in FY01. This is a year to year increase of \$22.9 million. About \$20.3 million, or 89%, is due to repayment of \$19.2 million of LOC advances, and payments of \$1.1 million paid to project sponsors of other projects. For comparative purposes, the cash disbursements reported last year does not include any LOC transactions because the LOC was not established until March, 2001.

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Many consultant and subregion invoices could not be processed for payment until federal funding and budget authority was granted by Caltrans. Amendment #2 has recently been approved. Amendment #3 has been submitted, and as yet is not approved. Upon approval it will provide the funding authority to pay all the remaining consultants. There are twenty-six vendors with invoices totaling \$1.9 million for which payments have been delayed. Each entity will be called and informed of the date their invoices will be paid.

Unrestricted Cash Status Comparison (Table III):

Table III presents the unrestricted cash balances at the end of each month for FY99, FY00, FY01 and FY02. The cash balance reported each month is based on what is available the last day of the month and is a “snapshot” of that day only.

As of March 31, 2002 our cash balance was \$300,000. The monthly cash balances can vary greatly based on the timing of receipts and expenditures, but can provide an overall sense of the trend of cash balances over time.

Fiscal Impact:

From a cash perspective the access to the \$3.5 million LOC has been a necessity as a source of working capital for SCAG. It has allowed us to meet our day to day requirements, provided for a faster recycling of cash, and resulted in more timely payments to vendors where budget authority from Caltrans has been approved.

We are currently exploring the possibility of an increase in the LOC. The LOC makes up for a shortage of internally generated working capital. SCAG’s working capital requirement is estimated to be in excess of \$6.0 million annually to support the operation of this Association. Currently, SCAG has approximately \$5.1 million of working capital (\$3.5 million from the LOC, and \$1.6 million of General Fund reserves), which requires extraordinary effort in managing accounts receivable and payable balances.

Glossary of Terms Used in this Report

Allocated Revenue	Funding from another agency that has been allocated to SCAG for programming.
Available to Contract	The total budget available in the SCAG Consultant and Subregion line items. SCAG can enter into contracts with these dollars.
Budget Category	One of six divisions used in the SCAG Budget to identify major areas of work program and activity.
Budget	The adopted SCAG Budget for FY2000-2001
Caltrans	California Department of Transportation
Consultant Contract Commitments	Executed contracts between SCAG and consultants making the funds unavailable for other uses.
CPG	Comprehensive Planning Grant. These are Caltrans Administered FTA & FHWA funds for regional transportation planning activities.
Cash Disbursements	Payments to employees, vendors, contractors, subregions and other public agencies for services rendered and products used in the normal course of business.
Cash Receipts	Cash received from Federal, State, and Local grantors in payment of program costs incurred, annual dues collected, and other collections such as Fee Services.
Expenditures (YTD)	Money spent, for the year, through the date identified in the report.
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
FY	Fiscal year beginning July 1 and ending June 30.
Revenue Status Chart	A bar graph which compares the 00-01 SCAG Budget Revenue Estimate to the Allocated Revenue and Unallocated Revenue.
SCAG Consultants	Consultants that contract directly with SCAG for Transportation Planning work, including work on behalf of Subregions.
SCAG Operations	SCAG staff costs, indirect overhead, travel, computer, photocopying and mailing.
Subregions	SCAGS fourteen local partners who manage a

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	portion of the Budget and contribute specific work products. The Subregions are: Arroyo Verdugo Cities; CVAG; Gateway Cities COG; IVAG; LA City; LA County; Malibu-Las Virgenes; North LA City Palmdale; OCCOG; SGVCOG; SANBAG; SBCOG; VCOG; Westside Cities; WRCOG.
Unallocated Revenue	Revenue identified in the SCAG Budget but not allocated by another agency to SCAG.
Uncommitted Balance	The Budget minus commitments.
Unexpended Balance	The Budget minus the Expenditures (YTD).
Unrestricted Cash	Cash in banks, which is available to pay obligations in the normal course of business.

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Table I						
Monthly Revenue Development Report						
(Through December, 2001)						
	Fund Source	01/02 Revenue Estimate (SCAG Budget)	Allocated Funding (YTD)	Unallocated		Status of Unallocated
New Funding						
1	Federal Highway Administration, FY 01-02	\$ 13,697,188	\$ 12,927,054	\$770,134		Revenue \$770,134 less than estimated amount
2	Federal Transit Administration, FY 01-02	\$ 4,722,409	\$ 4,722,409			
3	Federal Railroad Administration	\$ 875,000	0	0		
4	LACMTA, Employer Services	\$ 2,500,000	\$ 2,500,000	0		
5	CTC's Core Rideshare	\$ 3,047,730	\$ 3,047,730	0		.
6	VCTC, Employer Services	\$ 295,285	\$ 295,285			
7	OCTA-MDI	\$ 105,915	\$ 105,915			
8	General Fund	\$ 1,100,000	\$ 1,093,564	\$6,436		Unallocated amount pending receipt of member dues
9	TDA Planning	\$ 1,000,000	\$ 1,000,000			
10	Subregion Match	\$ 1,170,775	\$ 1,170,775			
11	Other Local Match	\$ 1,426,939	\$ 1,426,939			
Prior Year Funding (Carryover)						
1	Federal Highway Administration	\$ 4,015,962	1,616,073	\$ 4,631,909		Revenue more than estimated amount .

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2	Federal Transit Administration	\$ 4,806,645	4,699,883	\$ 106,762	Revenue \$106,762 less than estimated amount .
3	State Planning and Research, Caltrans HQ	\$ 509,825	\$ 509,825		
4	State Planning and Research, Caltrans District 7	\$ 3,109,649	\$ 3,109,649		
5	State Planning and Research, Partnership Planning	\$ 532,000	\$ 532,000		
6	SP&R, Caltrans District 8 (I-15 Corridor Study)	\$ 900,000	\$ 900,000		
7	FTA Section 5313 (b)/ Participant Match, Cal State LA	\$ 40,000	\$ 40,000		
8	Cal State, LA (Participant Match for 5313 (b) funds)	\$ 10,000	\$ 10,000		
9	Federal Aviation Administration	\$ 1,775,357	\$ 1,775,357		
10	GTIP/LACMTA (US 101 Study)	\$ 1,832,960	\$ 1,832,960		
11	CETAP-TCSP	\$ 937,000	0	\$ 937,000	Waiting for grant agreement
12	CETAP-RCTC	\$ 591,000	\$ 591,000		
13	Cordon Station Survey-SP&R, District 7	\$ 350,000	\$ 350,000		
14	CPTC (SR91 HOT Lanes Feasibility)	\$ 16,995	\$ 16,995		
15	LACMTA, GTIP, GCOG (I-710 MIS)	\$ 1,925,000	\$ 1,925,000		
16	LACMTA, MSRC (Web-Accessible Vanpool Info, Commuter Channel)	\$ 317,715	\$ 317,715		
17	SANBAG (I-15 Corridor Study)	\$ 50,000	\$ 50,000		
18	DPSS	\$ 193,280	\$ 193,280		
19	HCD	\$ 65,810	\$ 65,810		
20	TRANSTAR Service Contracts	\$ 438,325	\$ 438,325		

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21	US Fish & Wildlife, National Park Service, Others	\$ 50,000	0	\$ 50,000	Waiting for commitments from participants in air photo project
22	Year 2000 Post Census: LACMTA, ARB, RCTC, SANBAG, CTC's	\$ 775,999	\$ 775,999		
23	TDA Planning, Prior Years	\$ 416,373	\$ 416,373		
24	Los Angeles World Airport (FAA Grants)	\$ 78,198	\$ 78,198		
Funding to be Identified		\$ 3,081,750	0	\$ 3,081,750	Need to identify funding sources
	Totals:	\$ 56,761,084	\$ 48,534,113	\$ 9,583,991	